

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

ALVION PROPERTIES, INC.,	)	
SHIRLEY K. MEDLEY, and	)	
HAROLD M. REYNOLDS,	)	
	)	
Plaintiffs,	)	
	)	Civil No. 3:08-0866
v.	)	Judge Trauger
	)	Magistrate Judge Bryant
BERND H. WEBER, RAYMONDE WEBER,	)	
CLAUDE J. CHAUVEAU,	)	
AMERICAN GULF FINANCE CORP.,	)	
ALVION PARTNERS, LLC,	)	
AGF REALTY SOLUTIONS, INC., and	)	
TIME DATA HOLDINGS, LLC,	)	
	)	
Defendants.	)	

**ORDER**

On August 25, 2010, the Magistrate Judge issued a Report and Recommendation (Docket No. 284) recommending that the Motion For Judgment On Pleadings filed by defendants Weber and Chauveau (Docket No. 197) be denied. Defendants Weber and Chauveau have filed timely objections. (Docket No. 288)

Pursuant to Rule 72(b), FED. R. CIV. P., and 28 U.S.C. § 636(b)(1)(C), this court must review *de novo* any portion of the Report and Recommendation to which a specific objection is made. *United States v. Curtis*, 237 F.3d 598, 603 (6th Cir. 2001); *Massey v. City of Ferndale*, 7 F.3d 506, 510 (6th Cir. 1993).

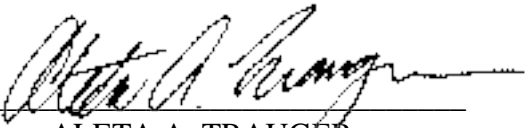
The defendants accurately point out that, although plaintiff Alvion Properties, Inc. has secured the admission of *pro hac vice* counsel from Illinois, the corporation has still failed to associate local counsel, as required by Local Rule 83.01(h)(1). However, it would be

inappropriate to grant the defendants' Motion For Judgment On Pleadings based upon this deficiency, as it appears that plaintiff Alvion Properties, Inc. has not been notified by the Clerk of the Court about this deficiency, nor sufficiently warned by the Magistrate Judge or the District Judge that failure to associate local counsel could result in the dismissal of all claims being made by Alvion Properties, Inc. in this case.

For these reasons, the defendants' Objection to the Report and Recommendation is **OVERRULED**, and the Motion For Judgment On Pleadings (Docket No. 197) is **DENIED**. However, the court notes that these defendants have filed a Motion to Dismiss Pleadings of Plaintiff Alvion Properties, Inc. based upon the failure of the corporation to be properly represented before this court (Docket No. 279), and this provides a vehicle for the Magistrate Judge to properly warn the corporate plaintiff as to the danger of continuing to proceed without complying with the Local Rule that requires the association of local counsel.

It is so **ORDERED**.

Enter this 28th day of September 2010.

  
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ALETA A. TRAUGER  
U.S. District Judge